

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

RECEIVED  
U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
3/1/04  
KOW  
DEPUTY CLERK

CAROLYN GREENE, Individually and On Behalf of  
All Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,  
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:03-cv-12628 (NG)

RELATED ACTIONS:

1:04-cv-10046 (NG)

1:04-cv-10055 (NG)

1:04-cv-10065 (NG)

1:04-cv-10077 (NG)

1:04-cv-10078 (NG)

1:04-cv-10090 (NG)

1:04-cv-10144 (NG)

1:04-cv-10155 (NG)

1:04-cv-10179 (NG)

1:04-cv-10189 (NG)

1:04-cv-10190 (NG)

1:04-cv-10202 (NG)

JOHN G. ESPOSITO, JR., Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,  
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:04-cv-10013 (NG)

JOSEPH L. KING, Individually and On Behalf of All  
Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,  
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:04-cv-10038 (NG)

**DECLARATION OF PETER E. SEIDMAN IN SUPPORT OF THE MOTION OF THE  
HOMER GROUP FOR CONSOLIDATION, APPOINTMENT OF LEAD PLAINTIFF,  
AND APPROVAL OF LEAD PLAINTIFF'S SELECTION OF CO-LEAD COUNSEL  
AND LIAISON COUNSEL**

I, Peter E. Seidman, under penalties of perjury, hereby declares:

1. I am a partner of the law firm of Milberg Weiss Bershad Hynes & Lerach LLP (“Milberg Weiss”). I submit this declaration in support of the motion of the Homeyer Group for Consolidation, Appointment As Lead Plaintiff, And Approval Of Lead Plaintiff’s Selection Of Co-Lead Counsel and Liaison Counsel.

2. Attached hereto as Exhibit A is a true and correct copy of the first published PSLRA notice by plaintiff in the action *Greene v. Biopure Corporation., et al.*, No. 1:03-cv-12628 (D. Mass. filed on Dec. 30, 2003), caused notice to be published on the *PR Newswire* on December 30, 2003.

3. Attached hereto as Exhibit B are true and accurate copies of the certifications of William E. Homeyer, Jr., William Kim, Gernot Buerger, Thomas Echlin, and Richard M. Acuna (collectively, the “Homeyer Group”).

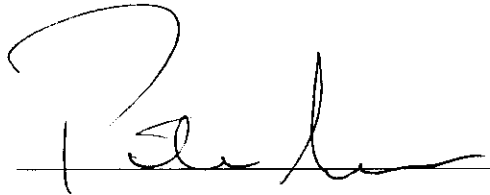
4. Attached hereto as Exhibit C is a chart analyzing Homeyer Group’s financial interest in this action.

5. Attached hereto as Exhibit D is the firm resume of Milberg Weiss.

6. Attached hereto as Exhibit E is the firm resume of Rabin, Murray & Frank LLP.

7. Attached hereto as Exhibit F is the firm resume of Moulton & Gans, P.C.

Dated: March 1, 2004  
New York, New York

A handwritten signature in black ink, appearing to read "P. Seidman", written over a horizontal line.

Peter E. Seidman

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was  
served upon the attorney of record for each party  
by mail (by hand) on 3/1/04

Nancy Freeman Wang  
(auth)

ORIGINAL

**CERTIFICATE OF SERVICE**

I, Sharon M. Lee, hereby certify that I caused a true and correct copy of the following to be served by regular U.S. Mail to all parties listed on the attached service list on this 1<sup>st</sup> day of March 2004.

1. MOTION OF THE HOMEYER GROUP FOR CONSOLIDATION, APPOINTMENT OF LEAD PLAINTIFF, AND APPROVAL OF LEAD PLAINTIFF'S SELECTION OF CO-LEAD COUNSEL AND LIAISON COUNSEL;
2. MEMORANDUM OF LAW IN SUPPORT OF THE MOTION OF THE HOMEYER GROUP FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF, AND APPROVAL OF LEAD PLAINTIFF'S SELECTION OF CO-LEAD COUNSEL AND LIAISON COUNSEL;
3. DECLARATION OF PETER E. SEIDMAN IN SUPPORT OF THE MOTION OF HOMEYER GROUP FOR CONSOLIDATION, APPOINTMENT OF LEAD PLAINTIFF, AND APPROVAL OF LEAD PLAINTIFF'S SELECTION OF CO-LEAD COUNSEL AND LIAISON COUNSEL;
4. [PROPOSED] ORDER CONSOLIDATING THE ACTIONS, APPOINTING LEAD PLAINTIFF, AND APPROVING SELECTION OF CO-LEAD COUNSEL AND LIAISON COUNSEL; and
5. RULE 7.1(A) CERTIFICATE.



---

Sharon M. Lee

**Service List**

**Plaintiffs' Counsel:**

David Pastor  
Peter A. Lagorio  
Gilman and Pastor, LLP  
Suite 500  
Stonehill Corporate Center  
999 Broadway  
Saugus, MA 01906

Jules Brody  
Stull, Stull & Brody  
6 East 45<sup>th</sup> Street  
New York, NY 10017

Jeffrey C. Block  
Patrick T. Egan  
Berman DeValerio Pease  
Tabacco Burt & Pucillo  
One Liberty Square  
8<sup>th</sup> Floor  
Boston, MA 02109  
Susan E. Strenger  
Perkins Smith & Cohen, LLP  
One Beacon Street, 30<sup>th</sup> Floor  
Boston, MA 02108

Deborah R. Gross  
Law Offices of Bernard M. Gross, PC  
1515 Locust Street  
2<sup>nd</sup> Floor  
Philadelphia, PA 19102

Robert P. Fruitkin  
Law Offices of Bernard M. Gross, PC  
1515 Locust Street  
2<sup>nd</sup> Floor  
Philadelphia, PA 19102

Scott E. Poynter  
Emerson Poynter LLP  
Investor Relations Department  
1509 Louisiana, Suites C & D  
Little Rock, AR 72202-5094

Samuel H. Rudman  
David A. Rosenfeld  
Cauley Geller Bowman & Rudman, LLP  
200 Broadhollow Road, Suite 406  
Melville, NY 11747

Shaye J. Fuchs  
Zwerling, Schachter & Zwerling, LLP  
615 Merrick Avenue  
Westbury, NY 11590-6622

Robert Roseman  
Spector, Roseman & Kodroff, P.C.  
1818 Market Street  
Suite 2500  
Philadelphia, PA 19103

Christopher Keller  
Goodkind Labaton Rudoff & Sucharow LLP  
100 Park Avenue  
12<sup>th</sup> Floor  
New York, NY 10017

Seth Ottensoser  
Bernstein Liebhard & Lifshitz, LLP  
10 East 40<sup>th</sup> Street  
New York, NY 10016

Andrew G. Tolan  
Pomerantz Haudek Block Grossman &  
Gross LLP  
100 Park Avenue  
26<sup>th</sup> Floor  
New York, NY 10017

Steven J. Toll  
Robert Smits  
Cohen, Milstein, Hausfeld & Toll, P.L.L.C.  
1100 New York Avenue, N.W.  
West Tower – Suite 500  
Washington, D.C. 20005

Pamela E. Kulsrud  
Kirby McInerney & Squire, LLP  
830 Third Avenue  
New York, NY 10022

Leigh R. Lasky  
Lasky & Rifkind, Ltd.  
100 Park Avenue  
12<sup>th</sup> Floor  
New York, NY 10017

Marc A. Topaz  
Stuart L. Berman  
Schriffrin & Barroway, LLP  
Three Bala Plaza East  
Suite 400  
Bala Cynwyd, PA 19004

Jack Fruchter  
Fruchter & Twersky LLP  
One Pennsylvania Plaza  
Suite 1910  
New York, NY 10119

**Defendants' Counsel**

Eunice E. Lee  
Robert A. Buhlman  
Bingham McCutchen LLP  
150 Federal Street  
Boston, MA 02110